



FTW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Ashok TEHIM et al.

Serial No.: 10/669,645

Group Art Unit: 1614

Filed: September 25, 2003

Examiner: Unassigned

For: INDAZOLES, BENZOTHAZOLES, AND BENZOISOTHAZOLES, AND  
PREPARATION AND USES THEREOF

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98**

• MAIL STOP AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
- ☐ within three months of the actual filing date of the national phase of a PCT application; OR
- ☒ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- ☐ a final rejection under 37 C.F.R. 1.113;
- ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
- ☐ a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
  - ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
- ☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
- ☐ a final action under 37 C.F.R. § 1.113;
  - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
  - ☐ a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was a first cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. \_\_\_\_\_, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☐ Copies of materials listed and are attached (except for US references) were cited in an international search report dated \_\_\_\_\_.

- ☒ Copies of the materials listed are attached (CD).

Non-English Language References

- ☐ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
- ☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone  
Y = document of particular relevance when it is combined with another such document  
A = document defining the general state of the art  
O = non-written disclosure  
P = intercalated document  
T = document cited to understand the theory or principle underlying the invention  
E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date  
D = cited in the application  
L = cited for another reason  
& = publication of member of same patent family

- ☐ Translation of other relevant information on foreign search report

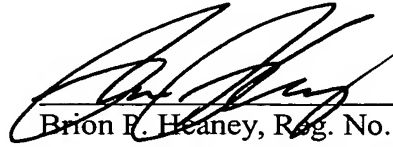
Other Information

Payment of Fees Due (If Any):

- ☐ A check for \$\_\_\_\_\_ covering the fee identified above is attached.
- ☐ Please charge to Deposit Account No. 13-3402 \$\_\_\_\_\_ for the fee identified above.

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



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Attorney Docket No.: MEMORY-33

Date: July 6, 2005

BPH/rrt



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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 Of 2

### Complete if Known

Application Number	10/669,645
Filing Date	September 25, 2003
First Named Inventor	Ashok TEHIM
Group Art Unit	1614
Examiner Name	Unassigned
Attorney Docket Number	MEMORY-33

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	1	2002/0086871	O'NEILL et al.	7/4/2002
	2	4,605,652	WELSTEAD et al.	8/12/1986
	3	5,223,625	VAN WIJINGAARDEN et al.	6/29/1993
	4	6,828,330	WALKER et al.	12/7/2004

### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	5	CA	2 361 437		ZIVKOVIC et al.	8/10/2000		
	6	EP	0 261 964		KING et al.	3/30/1988		
	7	EP	0 377 238		HAECK et al.	7/11/1990		
	8	WO	90 14347		KIMURA et al.	11/29/1990		
	9	WO	93 08185		KING et al.	4/29/1993		
	10	WO	97 30998		MACOR	8/28/1997		
	11	WO	00 45846		CAILLE et al.	12/19/2002		
	12	WO	00 58311		GALLET et al.	10/5/00		
	13	WO	01 90109		MILLER et al.	11/29/2001		
	14	WO	02 100857		WISHKA et al.	12/19/2002		
	15	WO	03 070731		WALKER et al.	8/28/2003		
	16	WO	04 014864		BERDINI et al.	2/19/2004		
	17	WO	04 014922		BERDINI et al.	2/19/2004		
	18	WO	05 012299		FLESSNER et al.	2/10/005		

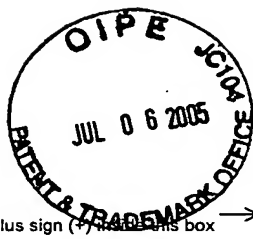
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First Named Inventor	Ashok TEHIM
Group Art Unit	1614
Examiner Name	Unassigned
Attorney Docket Number	MEMORY-33

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	19	Astles et al., Current Drug Targets – CNS Neurological Disorders, 2002, 1, pgs. 337-348.	
	20	Mazurov et al., Biorg. & Med. Chem. Lett., 2005, No. 15, pp 2073-2077.	
	21	Nuhrich et al., Eur. J. Med. Chem., 1996, No. 31, pp 957-964.	

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